

Before the  
Federal Communications Commission  
Washington, D.C. 20554

APCC Services, Inc.	)	
	)	
Complainant,	)	
	)	
v.	)	File No. EB-09-MD-007
	)	
Dollar Phone Corp.	)	
RespOrgUSA, Inc.	)	
Dollar Phone Access, Inc.	)	
Dollar Phone Enterprise, Inc.	)	
Dollar Phone Services, Inc.	)	
Global Switching, Inc.,	)	
	)	
Defendants.	)	

### ORDER OF DISMISSAL

**Adopted:** September 9, 2009

**Released:** September 9, 2009

By the Assistant Chief, Market Disputes Resolution Division, Enforcement Bureau:

1. On June 8, 2009, the above-named complainant (“APCC Services”) filed with this Commission a formal complaint<sup>1</sup> against Dollar Phone Corp., RespOrgUSA, Inc., Dollar Phone Access, Inc., Dollar Phone Enterprise, Inc., Dollar Phone Services, Inc., and Global Switching, Inc., (“Defendants”) pursuant to section 208 of the Communications Act of 1934, as amended (“Act”),<sup>2</sup> and section 1.720 *et seq.* of the Commission’s rules.<sup>3</sup> The Complaint alleges, *inter alia*, that Defendants violated sections 201(b) and 276(b) of the Act<sup>4</sup> and sections 64.1300 and 64.1310 of the Commission’s rules<sup>5</sup> by failing to pay dial-around compensation to payphone service providers represented by APCC Services. On July 16, 2009, Defendants filed an answer to the Complaint and in which they denied its allegations.<sup>6</sup>

<sup>1</sup> APCC Services Inc. v. Dollar Phone Corp., RespOrgUSA, Inc., Dollar Phone Access, Inc., Dollar Phone Enterprise, Inc., Dollar Phone Services, Inc., Global Switching, Inc., File No. EB-09-MD-007 (June 8, 2009) (“Complaint”).

<sup>2</sup> 47 U.S.C. § 208.

<sup>3</sup> 47 C.F.R. §§ 1.720 -1.736.

<sup>4</sup> 47 U.S.C. §§ 201(b), 276(b).

<sup>5</sup> 47 C.F.R. §§ 64.1300, 64.1310.

<sup>6</sup> Answer Of Defendants, APCC Services, Inc. v. Dollar Phone Corp., et al, EB-09-MD-007, filed July 16, 2009 .

2. On September 8, 2009, APCC Services filed a motion to dismiss the Complaint.<sup>7</sup> In its Motion, APCC Services states that it has resolved its dispute with the Defendants and seeks to withdraw its Complaint with prejudice, and that Defendants consent to the Motion.<sup>8</sup>

3. We are satisfied that granting the Motion will serve the public interest by promoting the private resolution of disputes and eliminating the need for further litigation and the expenditure of additional time and resources of the parties and this Commission.

4. Accordingly, IT IS ORDERED, pursuant to sections 1, 4(i), 4(j), and 208 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 154(i), 154(j), and 208, and the authority delegated in sections 0.111, 0.311, and 1.720 - 1.736 of the Commission's rules, 47 C.F.R. §§ 0.111, 0.311, and 1.720 - 1.736, that the Motion is GRANTED, and that the Complaint in this proceeding is DISMISSED with prejudice.

FEDERAL COMMUNICATIONS COMMISSION

Lisa J. Saks  
Assistant Chief,  
Market Disputes Resolution Division  
Enforcement Bureau

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<sup>7</sup> Motion To Dismiss Complaint, File No. EB-09-MD-007 (filed Sept. 8, 2009) ("Motion").

<sup>8</sup> Motion at 1.